

## UNITED STATES DISTRICT COURT

for the

District of

APR 04 2023

Division

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

Case No.

**1:23 CV 00703**

(to be filled in by the Clerk's Office)

**JUDGE RUIZ****MAG JUDGE GRIMES**Jury Trial: (check one) ☐ Yes ☐ NoKenya C. Vance

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Watson Plastics

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

## COMPLAINT FOR A CIVIL CASE

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

Kenya C. Vance  
73673 Bonbury Cir. #9  
Warrenville Hts. Oh, 44128 Cuyahoga  
216.575.8177  
mobvance10@gmail.com

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## Defendant No. 1

Name Mike Kappen  
 Job or Title (if known) SUPERVISOR  
 Street Address 20493 Hannan Pkwy  
 City and County Bedford, Cuy.  
 State and Zip Code Ohio 44146  
 Telephone Number 440.786.7711 / 330.812.4114  
 E-mail Address (if known) N/A

## Defendant No. 2

Name Walton Plastic's  
 Job or Title (if known) Business, company  
 Street Address 20493 Hannan Pkwy  
 City and County Bedford, Cuy.  
 State and Zip Code Ohio 44146  
 Telephone Number 440.786.7711  
 E-mail Address (if known) N/A

## Defendant No. 3

Name Joe Hardy  
 Job or Title (if known) Plant Manager  
 Street Address 20493 Hannan Pkwy  
 City and County Bedford, Cuy.  
 State and Zip Code Ohio, 44146  
 Telephone Number 440.786.7711  
 E-mail Address (if known) N/A

## Defendant No. 4

Name \_\_\_\_\_  
 Job or Title (if known) \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 City and County \_\_\_\_\_  
 State and Zip Code \_\_\_\_\_  
 Telephone Number \_\_\_\_\_  
 E-mail Address (if known) \_\_\_\_\_

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question ☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Harassment,  
Sex Discrimination, Retaliation, wrongful termin.

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) Kenya C. Vance, is a citizen of the  
State of (name) Ohio.

**b. If the plaintiff is a corporation**

The plaintiff, (name) \_\_\_\_\_, is incorporated  
under the laws of the State of (name) \_\_\_\_\_,  
and has its principal place of business in the State of (name) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)****a. If the defendant is an individual**

The defendant, (name) \_\_\_\_\_, is a citizen of  
the State of (name) \_\_\_\_\_. Or is a citizen of  
(foreign nation) \_\_\_\_\_.

**II. Basis for Jurisdiction**

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Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* Kenya C Vance, is a citizen of the State of *(name)* OHIO.

**b. If the plaintiff is a corporation**

The plaintiff, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)****a. If the defendant is an individual**

The defendant, *(name)* Walton Plastics, is a citizen of the State of *(name)* OHIO. Or is a citizen of *(foreign nation)* \_\_\_\_\_.

## b. If the defendant is a corporation

The defendant, (name) Walton Plastics, is incorporated under the laws of the State of (name) Ohio, and has its principal place of business in the State of (name) Ohio.  
 Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

## 3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

Punitive damages  
 Lost wages  
 Emotion damages  
 > Relief sought  
250,000

## III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

I was training, wanting to learn the trade. Staff profited and marginalize against me sexual. My supervisor inflicted his own sexual ideology forcefully. On my last day he harassed me and fired me.

## IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Economically no job's I've worked does not financially and structurally add up to when I worked there. Also the sexual entity on the work floor that consumed me mentally and emotionally. I Ask the Courts for the Relief in the company's punishment of 250,000.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 4/4/23

Signature of Plaintiff

Printed Name of Plaintiff

Kenya Vance  
Kenya Vance

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

## ( VI. Cause of Action )

My supervisor Mike Kappen tried to have sexual relations with me. Also enforce his own personal gender beliefs upon me. All in my course of me training to become an operator, for Die and Extrusion. Over the months of 03/2020 - 7/2021. I maintained my professionalism without making fun of, nor making Mr. Kappen feel uncomfortable. When that wasn't enough, or when I was not entertaining to Mr. Kappen's behavior. I then started receiving write ups for things that I was training for, or didn't understand. Mr. Kappen said it was normal and he told me to keep training to become a better operator. After my third write up in a row for being unaware, I wanted to stop training. Mr. Kappen and Mr. Hardy (Plant Manager) tried forcing me to operate. They both then suspended me and wrote me up again. At the time I didn't know where HR was located. I drove to the temp agency that sent me to Walton Plastics.



To report the sexual matters and the paper trail of write ups for training. When I returned back to work after my suspension I was outcast.

8/18/21 Mr. Kappen retaliated by harassing me twice on camera. Backing me into a corner, and the second time he stopped me from walking to continue working. Mr. Kappen followed me demanding what was I going to do if he didn't stop telling me to shut up. He called two other supervisor to witness it. Mr. Kappen then said clock out and go home, I did without malice intent. I then drove back to temp agency (PPS) crying telling the director what was done. I then spoke with Patti Buzkes (HR) for Walton Plastics, telling ~~me~~ her what happen and what's been happening. HR said, would look in to the matters at hand, of me reporting Mr. Kappen. HR called me back and said management fired me for being insubordinate. Without any additional investigation HR terminated me. I ask the courts to investigate the truth for Justice. Thank You.